



Scott D. Brenner, Esq.

Partner

Parlatore Law Group, LLP

260 Madison Avenue, 17th Floor

New York, NY 10016

scott.brenner@parlatorelawgroup.com

Direct: 646-330-4725

Facsimile: 646-417-6422

November 6, 2023

Via ECF

The Honorable Katherine Polk Failla, U.S.D.J.
Thurgood Marshall United States Courthouse
40 Foley Square, New York, NY 10007

MEMO ENDORSED

Re: *SEC v. Coinbase, Inc., and Coinbase Global, Inc.*, No. 1:23-CV-04738 (KPF)

Dear Judge Polk Failla:

I respectfully submit this letter as counsel to proposed *Amicus Curiae*, New Finance Institute (“NFI”). NFI filed its letter motion for leave to file an Amicus Brief on October 10, 2023 (Doc. #75).

By your Honor’s Order, dated October 25, 2023 (Doc. #86), the parties are to *meet and confer* with respect to oral argument on the Defendant’s pending Motion for Judgment on the Pleadings (Doc. #35), as follows:

Additionally, the parties are instructed to meet and confer with each other and with those amici curiae who wish to be heard to propose a reasonable schedule for oral argument, including duration and division of time for each side. The parties shall file a joint submission containing the proposed schedule on or before November 17, 2023.

NFI RESPECTFULLY REQUESTS that the Court expedite decision on the above-referred Motion for Leave to File its Amicus Brief so that NFI has standing to argue with regard to the aforesaid Motion for Judgment. Please also accept NFI’s confirmation that it (i) requests to be heard at oral argument and (ii) requests to be included in discussions as well as the joint submission re scheduling to be filed on or before November 17, 2023.

We thank the Court for its consideration of this matter.

Very truly yours,

PARLATORE LAW GROUP LLP

Scott D. Brenner, Partner

cc: All Counsel and Pro Se parties of record (via ECF)

The Court is in receipt of New Finance Institute's ("NFI") letter regarding its Motion for Leave to File its Amicus Brief. (Dkt. #90). The Court's endorsement, dated July 20, 2023, provided a schedule for the submissions of any amicus briefs. (Dkt. #34). Accordingly, amicus briefs that have been timely submitted, including NFI's brief, are deemed accepted. Therefore, NFI's request is DENIED as moot.

As instructed by the Court's Order, dated October 25, 2023, (Dkt. #86), all parties are instructed to meet and confer with each other and with those *amici curiae* who wish to be heard to propose a reasonable schedule for oral argument. The Court takes no position on the schedule.

The Clerk of the Court is directed to terminate the pending motions at docket numbers 75, 78, and 90.

Dated: November 9, 2023
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE